

HB 863
Gun Theft Felony Act of 2026

FAVORABLE

I write in support of HB 863, Gun Theft Felony Act of 2026, a bill that would make the theft of a firearm a felony, rather than a misdemeanor, and increase penalties accordingly, regardless of the value of the stolen firearm.

Gun thefts are a serious threat to public safety. If Maryland's leaders are serious about reducing violent crime, then our state should treat gun thefts as a serious crime, not a slap on the wrist. Theft of firearms is considered a felony in most states. In Maryland, conviction of theft of a vehicle of any value is a felony. Why is conviction of vehicle theft considered a felony but not a conviction of firearm theft? (See Maryland Criminal Law Section 7-105 below)

Thieves and criminals know that if they steal a rifle, a shotgun, or a handgun, they will not be held accountable because the value of such firearm is most likely valued at less than \$1,500, and its theft is not punishable with imprisonment. The monetary value of a firearm is irrelevant when it is in the hands of someone with evil intent. We need to be committed to ensuring that our state laws are tools used to deter crime and make criminals accountable for their actions.

In previous years similar bills have been proposed and received significant favorable testimony. I respectfully request a FAVORABLE report on HB 863.

Thank you for your consideration.

Sincerely,
Cathy S. Wright
North Beach, MD

According to Maryland Criminal Law Section 7-105, motor vehicle theft occurs when an individual knowingly and willfully takes a motor vehicle out of the owner's lawful custody, control, or use without the owner's consent. §7-105.

(a) In this section, "owner" means a person who has a lawful interest in or is in lawful possession of a motor vehicle by consent or chain of consent of the title owner.

(b) A person may not knowingly and willfully take a motor vehicle out of the owner's lawful custody, control, or use without the owner's consent.

(c) A person who violates this section:

(1) is guilty of the felony of taking a motor vehicle and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both; and

(2) shall restore the motor vehicle or, if unable to restore the motor vehicle, pay to the owner the full value of the motor vehicle.

(d) (1) This section does not preclude prosecution for theft of a motor vehicle under § 7-104 of this part.

(2) If a person is convicted under § 7-104 of this part and this section for the same act or transaction, the conviction under this section shall merge for sentencing purposes into the conviction under § 7-104 of this part.